

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

MINUTES OF PROCEEDINGS

CAMDEN OFFICE:

DATE OF PROCEEDINGS: 10/4/05

JUDGE: Robert B. Kugler

COURT REPORTER: Carl Nami, Jr.

OTHERS:

DOCKET NO: CR #02-417 (RBK)

Joseph DaGrossa (U.S. Probation)

TITLE OF CASE:

UNITED STATES OF AMERICA

(vs)

MICHAEL A. RODRIGUEZ, a/k/a "Anthony Rodriguez"

APPEARANCES:

Jason Richardson, AUSA for Gov't.

Christopher O'Malley, AFPD for deft.

(Deft. Present)

NATURE OF PROCEEDINGS: - SENTENCE ON ONE COUNT INDICTMENT

Hearing on application by Gov't to seal motion for downward departure. ORDERED application GRANTED.

Hearing on motion by Gov.'t for downward departure. ORDERED motion GRANTED.

Sentence: Purs. to the Sentencing Reform Act of 1984, it is the judgment of the Court that the deft. is hereby committed to the custody of the Bureau of Prisons to be imprisoned for a term of 35 months. Upon release from imprisonment, the deft. shall be placed on supervised release for a term of 3 yrs. Within 72 hrs. of release from the custody of the Bureau of Prisons, the deft. shall report in person to the probation office in the district to which the deft. is released. While on supervised release, the deft. shall not commit another federal, state or local crime, shall be prohibited from possessing a firearm or other dangerous device, shall not possess an illegal controlled substance and shall comply with the other standard conditions that have been adopted by this Court.

(over)

The deft. must submit to one drug test within 15 days of commencement of supervised release and at least two tests thereafter as determined by the probation officer. In addition, the deft. shall comply with the following special conditions: The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office. The defendant shall participate in a mental health program for evaluation and/or treatment as directed by the U.S. Probation Office. The defendant shall remain in treatment until satisfactorily discharged and with the approval of the U.S. Probation Office. The defendant shall cooperate in the collection of DNA as directed by the probation officer. The Court finds that the deft. does not have the ability to pay a fine. The Court will waive the fine in this case. It is further ordered that the deft. shall pay to the U.S. a total special assessment of \$100, which shall be due immediately.

COURT ADVISED DEFT. OF RIGHT TO APPEAL.



Deputy Clerk

Time Commenced: 10:03 AM

Time Adjourned: 10:10 AM